THE HON'BLE MR JUSTICE GODA RAGHURAM

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WRIT PETITION No.2177 of 2006

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Dated: 17.02.2006

Between:

Sri Sai Venkateswara Rice Producers
(Lessee of Sri Srinivasa Rice & Floor Mill) Kanigiri,
Rep. by Sri K.V. Subramanyam S/o. Venkata Narayana,

R/o. Kanigiri, Prakasam District.

..... PETITIONER

AND

The District Collector, Ongole, Prakasam District

and others..

.....RESPONDENTS

ORDER:

The petitioner is aggrieved by the seizure of stocks of essential commodities from its premises pursuant to an inspection of its rice and floor mill on 26.11.2005 and 27.11.2005. Eventually, by the proceedings dated 17.01.2006, on the petitioner's representation, the second respondent passed an order agreeing to release the seized stocks to the petitioner on its furnishing a bank guarantee to the extent of half of the value of the seized stocks i.e, half of Rs. 6,51,254/- and on furnishing third

party security for the remaining half of the value.

At the hearing of the writ petition, the learned Government Pleader, on instructions from the respondents, submits that the respondents are willing to release the stocks in favour of the petitioner on its furnishing a bank guarantee in an amount of Rs.2,00,000/- and on furnishing the third party security. The petitioner is agreeable to this course.

Accordingly, the writ petition is disposed of directing the respondents to release the commodities seized from the petitioner's rice mill on its furnishing a bank guarantee drawn on any Nationalised Bank in a value of Rs.2,00,000/- (Rupees two lakhs only) in favour of the first respondent, and on furnishing third party security for the balance of the value of the seized stocks. The seized commodities shall be released in favour of the petitioner forthwith on the compliance with the above conditions. The first respondent shall enquire into the allegations and pass orders on the enquiry against the petitioner under Section 6-A of the Essential Commodities Act, 1955, expeditiously, and in any event, within a period of four weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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17.01.2006

Note: Furnish C.C. by 20.02.2006.

(B/o)

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